

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:08CR468
)	
v.)	
)	
JAMAAL T.WILLIAMS,)	ORDER
)	
Defendant.)	
)	

This matter is before the court on its own motion. A psychiatric and psychological evaluation of the defendant would aid the court in sentencing this defendant. On March 13, 2009, the defendant entered a plea of guilty to a charge of being a felon in possession of a firearm. Filing No. 29, Minute Entry. A psychological evaluation of the defendant indicates that further testing and evaluation of the defendant is required. The government has no objection to such an evaluation.

The court finds the defendant has shown that he “may presently be suffering from a mental disease or defect for the treatment of which he is in need of custody for care and treatment in a suitable facility.” 18 U.S.C. § 4244(a). The court also finds that a psychiatric and psychological evaluation is warranted to determine the defendant’s current mental status and to enable the court to determine an appropriate sentence. See 18 U.S.C. § 3552 (b)&(c). Under 18 U.S.C. § 4244(b), if a report “includes an opinion by the examiners that the defendant is presently suffering from a mental disease or defect but that it is not such as to require his custody for care or treatment in a suitable facility, the report shall also include an opinion by the examiner concerning the sentencing alternatives that

could best accord the defendant the kind of treatment he does need.” 18 U.S.C. § 4244(b).

Further, the court finds that there is a compelling reason for the evaluation to be done by the Bureau of Prisons and there are no adequate professional resources available in the local community to perform the evaluation. 18 U.S.C. § 3552(b). The court recommends that the Bureau of Prison’s Medical Center for Federal Prisoners in Springfield, Missouri, perform the evaluation. Accordingly,

IT IS ORDERED:

1. The defendant is remanded to the custody of the United States Bureau of Prisons for a full presentence psychiatric and psychological evaluation.
2. The report shall include the information required under 18 U.S.C. § 4247(c) and 4244(b).
3. The report shall be completed on or before **September 26, 2009**.
4. Sentencing is rescheduled to **October 9, 2009 at 1:00 p.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

DATED this 26th day of June, 2009.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge